IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 3433 OF 1999

Amit Anil Parate..... .... Petitioner.

Versus

The State of Maharashtra & Ors.. ... Respondents.

Mr. R.K.Mendadkar for the Petitioner.

Mr. C.R.Sonawane, AGP for Respondent Nos.1 to 5.

CORAM : R. M. LODHA &
NARESH H. PATIL, JJ.

DATED : 11TH AUGUST, 2006.

P.C. :

Mr. R. K. Mendadkar, Counsel for the petitioner, fairly concedes that in view of the decision of the Supreme Court in the case of State of Maharashtra v/s Milind and Others, (2001) 1 SCC 4, he has no justifiable submission to make in challenging the order dated 23rd July, 1998 passed by the Committee for Scrutiny and Verification of Tribe Claims, Pune. He submits that the petitioner accepts that he does not belong to the Scheduled Tribe Community.

2. However, Mr. Mendadkar submits that the petitioner has completed the course of Bachelor of Engineering and that may be protected.

3. We are afraid, there is no question of protecting the Engineering Degree the petitioner claims to have passed since it was not pursuant to interim order. In view of the decision of the Supreme Court in the case of Milind & others (supra), writ petition is liable to be dismissed and is dismissed.

4. Rule is discharged. No costs.

Sd/-

(R. M. LODHA, J.)

Sd/-

(NARESH H. PATIL, J.)